

Regular Session, 2010

HOUSE BILL NO. 897

BY REPRESENTATIVE FOIL

ENVIRONMENT/AIR: Provides for motor vehicle inspections in ozone nonattainment areas

1 AN ACT

2 To amend and reenact R.S. 30:2054(B)(8) and R.S. 32:1306(C)(3)(a) and (4), relative to  
3 motor vehicle inspection and maintenance programs; to require certain motor vehicle  
4 inspections in certain ozone nonattainment areas; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 30:2054(B)(8) is hereby amended and reenacted to read as follows:

7 §2054. Air quality control; secretary of environmental quality; powers and duties

8 \* \* \*

9 B. The secretary shall have the following powers and duties:

10 \* \* \*

11 (8) To establish and implement a program for the control and abatement of  
12 motor vehicle emissions in accordance with R.S. 30:2060 and other applicable state  
13 and federal laws, particularly the Clean Air Act as amended, but not to exceed the  
14 requirements provided in such ~~Act~~ act unless specifically authorized. Such program  
15 shall be applicable only in parishes and municipalities ~~that have been placed on the~~  
16 ~~nonattainment list for ozone standards and classified as "serious" or worse~~ as  
17 necessary to comply with the requirements of the federal Clean Air Act or  
18 regulations promulgated by the United States Environmental Protection Agency ~~as~~  
19 ~~of June 30, 1999~~. If such program includes the periodic inspection of motor vehicles,  
20 the frequency of performing such inspections shall be as allowed by federal law or

1 regulations or by agreements with federal agencies. During each calendar year, the  
2 secretary may exempt vehicles of that model year and vehicles from prior model  
3 years from on-board diagnostic (OBD II) testing. The fees due the department for  
4 this program pursuant to R.S. 32:1306(C)(3) shall be deposited into the  
5 Environmental Trust Fund. The inspection and maintenance of motor vehicles as  
6 required by this Paragraph shall begin on January 1, 2000.

7 \* \* \*

8 Section 2. R.S. 32:1306(C)(3)(a) and (4) are hereby amended and reenacted to read  
9 as follows:

10 §1306. Operation of official inspection stations

11 \* \* \*

12 C.

13 \* \* \*

14 (3)(a) For parishes and municipalities that have ~~been placed on the~~  
15 ~~nonattainment list for ozone standards and classified as "serious" or worse~~ a vehicle  
16 inspection and maintenance program required by the federal Clean Air Act or  
17 regulations promulgated by the United States Environmental Protection Agency, an  
18 additional eight dollars shall be charged for each inspection that includes the  
19 performance of the inspection and maintenance (I/M) program pursuant to the  
20 provisions of R.S. 30:2054(B)(8) for 1980 or newer model year motor vehicles. The  
21 motor vehicle inspection station shall retain six dollars of the additional charge for  
22 implementation and performance of the I/M program. Two dollars of the additional  
23 charge shall be transferred to the Louisiana Department of Environmental Quality  
24 to implement and operate the inspection and maintenance program.

25 \* \* \*

26 (4) The maintenance and inspection program and the fees provided for in  
27 Paragraph (3) of this Subsection shall be discontinued when the ~~parishes placed on~~  
28 ~~the nonattainment list for ozone standards and classified as "serious" or worse, are~~  
29 ~~removed from the list and are no longer classified as "serious" or worse if such~~

1     ~~discontinuance does not conflict with any requirements of I/M program is~~  
2     discontinued as allowed by the federal Clean Air Act and regulations promulgated  
3     by the United States Environmental Protection Agency or agreements with the  
4     agency concerning the implementation of this program, or result in any other  
5     noncompliance regarding this Subsection.

6 \* \*

# DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Foil

HB No. 897

**Abstract:** Provides for motor vehicle inspections in ozone nonattainment areas as required by federal laws and regulations.

Present law provides for the implementation of an automobile inspection and maintenance program (I/M) to reduce emissions in parishes and municipalities that have been placed on the nonattainment list for ozone standards and classified as "serious" or worse by the EPA. The I/M program consists of an emissions inspection that is in addition to the statewide required vehicle safety inspection.

Proposed law retains present law except removes a specific classification and requires inspections in ozone nonattainment areas as required by the federal Clean Air Act and regulations by the federal Environmental Protection Agency.

(Amends R.S. 30:2054(B)(8) and R.S. 32:1306(C)(3)(a) and (4))